

Local Government & Housing Committee

SSB 6205

Brief Description: Concerning portions of state highways better served by merged districts under certain circumstances.

Sponsors: Senate Committee on Transportation (originally sponsored by Senators Haugen and Shin).

Brief Summary of Substitute Bill

- Establishes an alternative method for the partial merger of fire protection districts that does not require an election.

Hearing Date: 2/22/10

Staff: Thamas Osborn (786-7129).

Background:

Fire Protection Districts.

Fire protection districts (districts) are created to provide fire prevention, fire suppression, and emergency medical services within a district's boundaries, which can include incorporated and unincorporated areas. The creation of such districts requires voter approval. Generally, districts serve residents outside of cities or towns, except when cities and towns have been annexed into a district or when the district continues to provide service to a newly incorporated area. Fire protection districts are governed by an elected board of commissioners consisting of either three or five members. The districts finance their activities and facilities by imposing regular property taxes, excess voter-approved property tax levies, and benefit charges.

Partial Merger of Fire Protection Districts.

State law authorizes the merger of a portion of a district with an adjacent district, subject to specified requirements and conditions. The district containing the area to be merged into another

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district is designated as the "merging district" and the district into which the area is to be merged is designated as the "merger district." Generally, an area within a district may be merged with another if that area would be better served with fire protection or emergency services by becoming part of the merger district.

A partial merger of districts may be initiated by the completion of either one of two petition methods. Most commonly, a merger is initiated by a petition proposing the merger that is signed by a majority of the commissioners of the merging district and which is then filed with the merger district. If the commissioners of the merger district approve the proposed merger, then the merger proposition is submitted for decision by the voters residing in the area to be merged. If a majority of the voters approve the merger, the districts are merged.

The second petition method requires that the proposed merger be initiated by a petition signed by not less than 15 percent of the qualified electors residing in the area to be merged. This petition is then submitted for approval by the commissioners of the merging district. If approved by the commissioners of the merging district, the petition is then submitted for the approval of the commissioners of the merger district. Once the petition is approved by the merger district, the merger proposal is subject to an election called in the area to be merged.

In the event a merger petition is not approved by the commissioners of either the merging district or the merger district, the merger may still take place if the petition is approved by the appropriate boundary review board(s) or the county legislative authority of the county in which the area to be merged is situated. Once approved by either body, the merger proposal is submitted for decision by the voters.

No election is required if three-fifths of all qualified electors in the area to be merged sign a petition proposing merger.

Emergency Conditions: Road Closures and Rerouting of Traffic by State Patrol.

State patrol officers are authorized to close a state highway and reroute traffic in the event of an emergency or unsafe road conditions stemming from human-caused or natural disasters, or extreme weather conditions.

Summary of Bill:

The act creates an additional process for effecting a partial merger of districts. The additional process is not subject to an election, nor does it require the approval of a boundary review board or county legislative authority. Under this new merger process, a portion of one fire district may be merged into an adjacent fire district if the following conditions and requirements are met:

- The area to be merged includes portions of a state highway, can be better served by the merger district, and has an assessed value of less than 0.5 percent of the total assessed value of the merging district;
- The merging district does not own a fire station in the area to be merged;
- The merger district adopts a resolution that: (1) finds that the merger district can provide quicker emergency response times to the designated area and that the merger is in the public interest; and (2) declares the designated area to be merged; and

- the merger district must consult with the merging district at least 30 days prior to adopting the resolution effecting the merger.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.